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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. No. 260/00910 OF 2015
Cuttack, this the 4th day of January, 2016

CORAM
HON'BLE MR. A.K. PATNAIK, MEMBER (J)
HON'BLE MR. R.C. MISRA, MEMBER (A)

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Sri Binod Bihari Modi,
aged about 45 years,
S/o Shiropani Modi,
resident of At/Vill-Teranti,
PO-Sendkap, Via-Raisuan,
PS-Sadar Raisuan, Dist-Keonjhar,
Odisha, Pin-758013.

...Applicant

By the Advocate-M/s. C.P. Sahani, P.K. Samal, D.P. Mohapatra

-VERSUS-

Union of India Represented through

1. Secretary-cum- Director General of Posts,
Dak Bhawan, Sansad Marg,
New Delhi-110116.
2. Chief Postmaster General,
Odisha Circle, At/PO. Bhubaneswar,
District- Khurda, Odisha -751001.
3. The Director of Postal Services,
Sambalpur Region, Sambalpur-768001.
4. The Superintendent of Post Offices,
Keonjhar Division, Keonjhargarh- 758 001.

...Respondents

By the Advocate-Mr. M.R. Mohanty

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ORDER (ORAL)

A.K.PATNAIK, MEMBER (JUDL.):

Heard Mr. C.P.Sahani, Ld. Counsel for the Applicant, and Mr. M.R.Mohanty, Ld. ACGSC appearing for the Respondents, on whom a copy of this O.A. has already been served, and perused the materials placed on record.

2. This O.A. has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 challenging the impugned order under Annexure-A/8. He has further prayed to direct the Departmental Respondents to release the withheld salary due to reduction treating the period of suspension as duty for all purposes.

3. The case of the applicant, in brief, is that while working as PA, Anandapur MDG, he was placed under Suspension vide Memo No. B3-522/Ch-II dated 29.01.2015. Subsequently, the same was revoked vide Memo dated 13.05.2015 and a charge sheet under Rule-16 of CCS (CCA) Rules, 1965 was issued. The defense representation dated 18.05.2015 submitted by the applicant against the allegations having been rejected, applicant was issued with the letter dated 12.06.2015 (Annexure-A/8) imposing punishment of "reduction of pay to a lower stage in the time scale of Pay by one stage from Rs. 13460 + Grade Pay Rs. 2800 to Rs. 12980 + Grade Pay Rs. 2800 for one year without cumulative effect". Mr. Sahani, Ld. Counsel for the applicant, submitted that the applicant preferred an appeal under Annexure-A/9 to the Director of Postal Services, Sambalpur, (Respondent No. 3) on 29.06.2015 followed by a reminder dated 05.09.2015 vide Annexure-A/10 against the punishment order but till date no response has been received by him.

4. As the appeal of the applicant is stated to be pending before



Respondent No.3, we are not inclined to keep this matter pending. Accordingly, without going into the merit of the matter, we dispose of this O.A. with direction to Respondent No.3 to dispose of the appeal under Annexure-A/9 as per rules and regulations in force, if the same is still pending, and pass a reasoned and speaking order within a period of two months from the date of receipt of a copy of this order. It is made clear that we have not gone into the merit of this matter and the points raised in the appeal are kept open for Respondent No.3 to consider the same as per rules and regulations in force.

5. With the aforesaid observation and direction, this O.A. stands disposed of. No costs.

6. On the prayer made by Mr. Sahani, Learned Counsel appearing for the applicant, copy of this order, along with paper book, be sent to Respondent No. 3 by Speed Post for which he undertakes to file the postal requisites by 07.01.2016.



(R.C.MISRA)
MEMBER(Admn.)



(A.K.PATNAIK)
MEMBER(Judl.)